

## **Exhibit E**

**Davina Joy Askin**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
DAVINA JOY ASKIN**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                                      : SS.:  
COUNTY OF NEW YORK    )

DAVINA JOY ASKIN, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 200 West 79<sup>th</sup> Street, Apt 10E, New York, New York 10024.

2. I am currently 53 years old, having been born on December 5, 1968.

3. I am the daughter of Haskell Askin, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from esophageal cancer on January 27, 2011. It was medically determined that this illness was casually connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My father and I did a lot together. He had a very strong work ethic, and he brought me into his work world when I was quite young. I spent a lot of time at his office, observing and helping out. He also taught me typical dad things, like how to drive, parallel park, change a tire, and travel safely in snow and ice. Now that I have my first car after decades of taking public transit, I wish my dad were around to offer car advice. He was handy in so many

ways: electrical work, lighting, plumbing, and building things. Those shared projects continued, in limited scope even after he got sick, and they provided a sense of normalcy. My dad was a man of action, always running to help others. I accompanied him on forensic dental cases and general dentistry house calls. It was always an educational experience for both me and others he mentored. He even drove to Manhattan on 9/11/2001 right after the attacks to help.

6. For many months after 9/11/2001, my dad split his time between our family home in New Jersey and NYC Medical Examiner's office, where he was a tour commander/supervisor for the forensic dentistry team. As a forensic dentist, he used dental evidence to identify the remains of 9/11 victims. I lived in Manhattan and worked across from the South Tower in a building irreparably damaged by the attacks. My dad often worked night shifts at the Medical Examiner's office, and then stay and sleep at my apartment during the day while I worked from a temporary office. Shortly after 9/11, we went to Ground Zero to see the destruction. It was sad to note the difference between what the area looked like before and after the attacks, as well as see the dust and debris. Another time, we went to the Medical Examiner's office, where tents and trailers were added outside to accommodate the dusty vehicles delivering remains from Ground Zero and the first responders, including my dad's forensic dentistry teams.

7. In January 2008, my father started to have trouble swallowing and sought medical attention. He told me about his esophageal cancer diagnosis right after attending a family event celebrating the birth of a cousin. I cried on the NJ Transit bus back to Manhattan.

8. My dad's cancer treatments were extensive and included chemotherapy, surgery, and radiation. He experienced enormous pain and suffering when his eating and swallowing were not normal. Because he had esophageal cancer, he had a feeding tube at times. It was devastating to watch him suffer and undergo needed treatments and their side effects. But, he pursued the treatments and took painkillers so he could stay alive and spend more time with his young grandchildren. We hoped that the medical interventions would be effective, but there were ups and downs over the 3 years. In October 2010, he survived a horrible life-and-death episode. We were always hopeful for the medical reports, but there was the unknown—were the efforts helping? Helping enough? What else might happen? Could he get better?

9. My father's illness impacted my personal and financial life. I spent significant time with my parents in New Jersey while my dad was ill and after he died. In the last two



months of his life while he was in home hospice care, December 2010 and January 2011, I moved back to New Jersey to help. Also, in the past, I had worked in the well-paying banking industry, but it came with long hours and travel. A month after my dad's cancer diagnosis, I joined a non-profit that had flexible work hours, generous vacation time, and limited travel. I negotiated that job offer from a Sloan Kettering waiting room while he was undergoing a test, knowing that, despite the lower pay, the job's benefits would give me the availability my family needed. Even after his death, the flexibility and time off enabled me to help my mom and handle his estate.

10. Following my dad's death in 2011, I have assumed much of his role—and spend a lot of my free time helping my 81-year-old mom. In unfamiliar situations since then, I'd think, “I wish I'd asked my dad about this while he was alive” or “I wish he'd be here to ask.” In fact, it took nearly ten years of doing my mom's April 15 tax prep to feel at home with the documents. Also, while my dad was alive, my brother and I had agreed to divide certain personal and household duties when it came to assisting our mom once our dad died. However, my brother has not stepped up as expected. My brother's abandonment of this commitment has given me no choice but to step up to assume both his and my responsibilities. His behavior is inconsiderate and disrespectful towards our mom. Also, his children are not as involved in her life as they could be, which is sad and painful. Our family is irreparably fractured since my dad's death. My dad was the glue of our family. Losing a parent has been hard.

11. The 3 years of my dad's illness were sad and challenging—and the eleven plus years of assisting my mom, in his absence and as if I were an only child, have been draining. My dad was generous, talented, and handy, and his absence is always felt. I know he would be proud of me for standing in for him, but I wish he were here. This is a complicated situation, and it reflects the ongoing physical and emotional impact of my father's illness and death on my daily life.

Sworn to before me this  
18<sup>th</sup> day of July, 2022



Notary Public

BARRY LANGMAN  
 Notary Public, State of New York

No. 02LA5029645

Qualified in New York County

Commission Expires Dec. 27, 2022

  
 DAVINA JOY ASKIN

**Sara Belle Askin**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**SARA BELLE ASKIN**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                                      : SS.:  
COUNTY OF NEW YORK    )

SARA BELLE ASKIN, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 308 Van Avenue, Brick Township, New Jersey 08724.
2. I am currently 81 years old, having been born on March 29, 1941.
3. I am the wife of Haskell Askin, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4. My husband passed away from esophageal cancer on January 27, 2011. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5. My husband and I had a solid, complementary, traditional relationship, with each supporting the other. We cared for our parents and his siblings. We volunteered and were leaders in philanthropic and educational institutions. I helped support Haskell's general and forensic dentistry practice, assisting with employee support, financial, and managerial matters.

We also collaborated on other business ventures. We traveled together to many of his conferences. We loved our children and tried to expose them to a variety of experiences. My husband loved to plan family activities. When we were married, he welcomed me into his world.

6. As a member of the disaster management planning group in the NYC Chief Medical Examiner's Office, Dr. Askin went to the pit at Ground Zero following 9/11/2001. He was a Tour Commander supervisor in addition to being a first responder. Eventually, the Medical Examiner's office was also designated as part of Ground Zero. When the fire engines drove up from downtown Ground Zero carrying remains, they parked right next to the dental trailer outside the Medical Examiner's office. You could smell the odor of death on the uncleaned fire engines. Haskell worked to collect dental records, identify remains of victims from the attack, and repatriate these parts to their families. He also documented dental evidence for which there were no available matches, at that time. Haskell interacted with the families of victims directly. When Haskell left the trailer for a break, the odor in the air was foul. He was breathing in this dust and handling dusty and toxic remains as well.

7. In 2008, Dr. Askin experienced pain upon swallowing when we returned from an overseas dental conference. We were at our son's home celebrating Haskell's birthday when we noticed that he was having trouble swallowing. We considered having a doctor check him out. As far as we knew, Haskell was solidly well and was not a complaining person. Our son is a gastroenterologist, so he made an appointment with one of his colleagues for Haskell to receive an endoscopy. The endoscopy revealed an abnormal growth. Haskell's records were sent to Sloan Kettering, and an appointment was made with an oncologist and a surgeon. After the exam, the doctors ordered that chemotherapy be started immediately.

8. I was shocked by the diagnosis and treatment plan. Haskell was a very healthy man—he had a healthy lifestyle with no smoking or drinking. He was an established dentist with a practice in a suburban area. It was very hard to review the treatment plan with doctors, because I was just so stunned. As an optimist, I trusted that we were in the right place with the right team of doctors. We hoped and prayed for the best results.

9. Haskell started to lose weight. I had to buy him new shirts and slacks to fit his shrinking body. Soon, Haskell was put onto a PEJ tube (feeding tube), which undermined his



independence and degree of wellness. His ability to eat became progressively worse, and his quality of life worsened as well. Towards the end of his life, he could only eat Pepsi-Cola ice chips. We moved into the room above our son's detached garage for two months because we wanted more contact with our grandchildren (who were toddlers at the time) and to be closer to Haskell's doctors. We were away from the comfort and pleasure of our own home and community. I could feel Haskell's embarrassment when he was dependent on strange caregivers who violated his sense of privacy and independence. His sense of loss was ever-present. He withdrew socially and conversationally, even with his closest family members.

10. As Haskell's need for medical care increased, he had to start working less. Colleagues still phoned him for guidance, and he used mail and internet for consultations from home. My priority turned from assisting Haskell in his business to administering his medical care full-time. He was my priority without hesitation. Financially, we lived modestly. We were do-it-yourself people. However, sometimes we needed to hire a driver to go for medical care. Once, we needed an ambulance.

11. Haskell's death took him out of my life as a companion and partner. After he died, the appreciation and application of Askin family values diminished. His loss created an opening for selfish and manipulative behavior to take hold in our family. As a result, our family relationship is fractured. Our daughter Davina put in a tremendous amount of effort taking care of her father before his death, his affairs after death, and is now taking care of me. The time and effort she devoted and continues to devote cuts into her time and life choices. She travels from Manhattan to help me in New Jersey. I am fortunate and grateful that she is able and willing to assist me. I hope that my family can rebalance and reconcile to have an equitable, healthy and happy future together.

12. I am very concerned for our daughter Davina, who worked for Deutsche Bank across from the World Trade Center. On 9/11, she fled that toxic environment. What will happen to her health in the future?

13. Haskell was a very productive person. He always wanted to help people. If there was an emergency with a patient during the night, he'd throw his clothes on over his pajamas and rush to the office to prepare for and provide the treatment he anticipated the patient might need. He had a keen mind, excellent health and energy, and dedication to those around him. He

was valued and loved by his family and his residential and professional communities. He is missed every day.



SARA BELLE ASKIN

Sworn to before me this  
18<sup>th</sup> day of July, 2022



Notary Public

BARRY LANGMAN

Notary Public, State of New York

No. 02LA5029645

Qualified in New York County

Commission Expires Dec. 27, 2022



**Saralee A. Miller**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
SARALEE A. MILLER**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW JERSEY )  
: SS.:  
COUNTY OF MIDDLESEX )

SARALEE A. MILLER, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 2310 Monroe Village, Monroe Township, New Jersey 08831.

2. I am currently 96 years old, having been born on June 24, 1926.

3. I am the sister of Haskell Askin, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My brother passed away from esophageal cancer on January 27, 2011. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I was nine years old when my brother Haskell was born. We were very close from day one. I was the most excited older sister that you could imagine. As a kid, I would often babysit him. As the years went by, Haskell grew up and became so much more mature. When I finished college, I got married and moved to Chicago with my husband. Haskell would visit me on vacation, and we maintained a close relationship. My husband later retired, and we moved

back to New Jersey. My husband was much older than me, and he began to have some health issues. Haskell was right by my side to help me take care of my husband. My husband died in 1998, and Haskell was my right-hand person from then on.

6. Haskell ran a dentistry practice in his town in New Jersey. I wanted to earn some extra cash after retirement, so Haskell gave me a job in his dental office. He sent me to learn how to take dental X-Rays, and I even took the state exam. I worked part-time, filling in gaps in Haskell's schedule when he would travel for forensic dentistry duties. After 9/11/2001, he went down to the World Trade Center to work for the NYC Medical Examiner's Office. He didn't talk about it much, but I knew he was doing a lot of work. He helped identify victims based on dental remains found at the World Trade Center site.

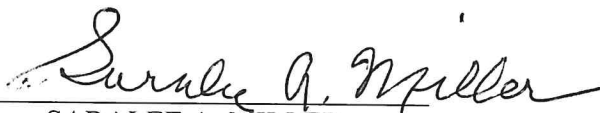
7. I'll never forget Haskell's esophageal cancer diagnosis. It was in January 2008. I was getting ready to move from Brick to Toms River, and right at that time Haskell found out about his illness. Of course, I was devastated. He was a healthy man, in spite of his illness. I knew he was going to have to have surgery to try and have the tumor removed. I don't know all the details, but he had strong medical treatments of many kinds. The pain was unusually difficult, as he had problems eating due to the tumor.

8. I saw that Haskell became weaker as time went on. When he was in the hospital up in North Jersey, far away from where we lived, I would get rides to see him. I couldn't always bother his family about transport to go see him. Haskell was very weak. He was still able to hold a conversation, but not much more. I was always glad to see him, and he was glad to see me too. We tried to have light-hearted conversations, to talk about things other than his illness. We reminisced about the past. I wanted to help him feel better. I wish I could have visited him more.

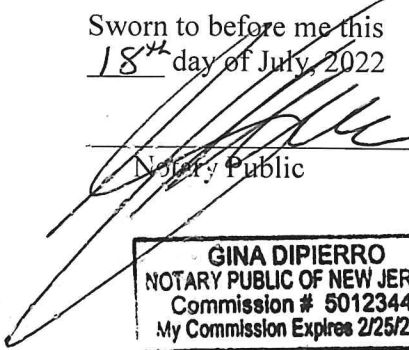
9. It was devastating to think that my younger brother was ill. It hurt me terribly. I thought about it all the time. I knew he would receive the best medical attention, but I was still worried, especially because I didn't have other family nearby. I worried about Haskell's health every day.

10. Haskell's death has really affected me. As far as family relationships go, there's no question that Haskell and I had a close bond. Emotionally, I was close with him. We understood each other and were on the same wavelength about everything. It was extremely

hard to lose him, and his presence is greatly missed.

  
SARALEE A. MILLER

Sworn to before me this  
18<sup>th</sup> day of July, 2022

  
Notary Public

**GINA DIPIERRO**  
NOTARY PUBLIC OF NEW JERSEY  
Commission # 50123443  
My Commission Expires 2/25/2025

**Shifra Miriam Saruya**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**SHIFRA MIRIAM SARUYA**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.  
-----X

STATE OF NEW JERSEY )  
: SS.:  
COUNTY OF MIDDLESEX )

SHIFRA MIRIAM SARUYA, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 30 East Sherman Avenue, Colonia, New Jersey 07067.

2. I am currently 92 years old, having been born on August 1, 1929.

3. I am the sister of Haskell Askin, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My brother passed away from esophageal cancer on January 27, 2011. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. Haskell (Hal) and I were very close, and our whole family was close. It was a blessing for our family to be all together in New Jersey, especially when our sister Saralee moved here from Chicago. When Hal was an adult, he assumed the leadership position in our family. He took good care of his family, especially his sisters. He and his wife would run the family Thanksgiving, and he really held the family together. He took an interest in everybody in



our family. I would see Hal quite often. He was my dentist—he never charged me or any of our family members for dental work. Haskell had a good sense of humor, and he was always available to help me if I needed.

6. Hal was a forensic dentist. He owned a practice and also worked as a forensic identifier for the Philadelphia Police Department. He went as a volunteer, as a forensic identifier after 9/11/2001, down to the World Trade Center. He would drive from his home in Brick, New Jersey down to lower Manhattan to work for the NYC Medical Examiner's office. He didn't tell me many of the details of his time there. We were busy with our lives, so I'm not sure how long he was working down at the World Trade Center.

7. I remember going to synagogue with my family members for a Saturday morning service a while after Hal was diagnosed with cancer. I hadn't seen my brother Hal in a few months. I saw my sister-in-law with a man sitting next to her, and I turned to the person next to me and said, "Who is that man sitting next to her?" I didn't even recognize that it was my brother Hal. I remember thinking to myself, "He looks so tired, he doesn't even look like himself."

8. I didn't play as active a role in my brother's care. I was a visitor—I was there whenever I could be there for him. He would go to Memorial Sloan Kettering in Basking Ridge. He used to drive to his treatments, and then when he could no longer drive his daughter Davina would drive him. When he came to visit his son in Northern Jersey, I'd be close by, so I'd visit him there too. Hal and his wife lived for a while in a one-room apartment in the carriage house of his son's home in North Jersey. My brother wanted to move there so he could enjoy spending time with his son and grandchildren, but he never was really well enough to enjoy living there.

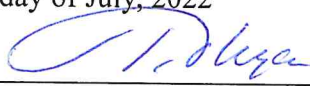
9. My brother's illness affected all of us, naturally. Haskell's illness was the first time I had ever seen a close family member linger with suffering. It was very difficult to watch. I miss when Hal was no longer able to call in and check on me. My brother had a lot of knowledge about our family history. When he died, there was no one to ask about our family history. He would've known the answer for everything.

10. Haskell was very giving. My husband was a paraplegic. Haskell would always check on him to ensure he was alright. No one has been able to hold our family together like Hal did. I feel for his wife Sara, because I know that she got the brunt of caring for Hal until the

very end. It's hard for anyone to go through what she went through. It's so hard to see a loved one suffer. But life goes on, and we push ahead.

  
SHIFRA MIRIAM SARUYA

Sworn to before me this  
15 day of July, 2022

  
\_\_\_\_\_  
Notary Public

**GALYNA MILAN**  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires February 16, 2026

**Joyce E. Barocas**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
JOYCE E. BAROCAS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                              : SS.:  
COUNTY OF NEW YORK     )

JOYCE E. BAROCAS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 21 South End Avenue, Apartment 625, New York, New York 10280.

2. I am currently 61 years old, having been born on February 18, 1961.

3. I am the sister of Sheldon Barocas, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of the claim on behalf of my solatium claim.

4. My brother passed away from metastasized prostate cancer on December 19, 2011, at age 61. It was medically determined that his illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My brother Sheldon (Shelly) was ten years older than me. Both of our parents died young. He was the most important person to me. We spoke multiple times a day, about anything. We knew each other better than anyone else. Shelly was my brother, my closest friend and confidante, my protector and parent, when the situation called for it. He taught me about cars and how to drive a stick-shift. It was pretty cool, being a young female who drove a stick-

shift and felt confident in an auto shop.

6. I was living alone with my father when he passed away. Shelly was married with a child, living on Long Island. Shelly came and picked me up the same night my father died. He didn't want me to be alone. I moved in with him, his former wife and my nephew, Scott, for a year. His family welcomed me, and I never felt like a guest. He never asked for a penny in return. We'd all go on family ski trips together. Once, the four of us even had to share one room. I was very close with Scott. When my niece, Sari was born, I had already moved out of Shelly's house. She was jealous that Scott had that time with me. When Scott was old enough, I taught him how to drive a stick shift, like his dad taught me.

7. Shelly was a captain with the FDNY. I was on vacation with my husband in Bali on September 11, 2001. We turned on the television in our room and started watching something that looked like those disaster movies, like *Towering Inferno*. When I saw the crawl at the bottom of the television screen, I realized it was happening live, in real time. It had phone numbers for family members of the missing. I couldn't reach Shelly by phone, and all air travel to the U.S. was indefinitely suspended. I reached my sister-in-law a day or two later. She said Shelly was downtown during the attacks. Shelly borrowed a reporter's cell phone to call his wife to say he was alive but didn't know when he'd be coming home. Days later, my sister-in-law told me Shelly was finally home. When I heard his voice, I was able to breathe again. I felt like I'd been holding my breath for days.

8. I got to talk to my brother a few times from Bali. He was working on the pile every day. He told me how awful it was having to look for bodies. He also told me about the tremendous outpouring of support and generosity of New Yorkers and people from all over the world. People were donating anything they could to help first responders. That's what he talked about with me—kindness in the wake of tragedy. He continued to work at Ground Zero through the spring of 2002. Sheldon didn't like to talk about his experience there. You could ask, but he'd kind of avoid the question. It was like that for a lot of firefighters. If you walked in on a group of them while they were talking about 9/11, they would go silent.

9. After he retired from the FDNY in about 2003, Shelly started having trouble breathing. It was strange because he was always in very good shape, very fit and active. He was diagnosed with COPD and GERD. His stomach was upset all the time, or he'd have problems keeping food down. After his work at Ground Zero, he always had horrible sinus infections and



was diagnosed with sinusitis and asthma.

10. My brother found a job at a fire inspection company. He was really the happiest person in the world at that time, because he was applying his knowledge of firefighting in a completely different environment. Their clients could be building management companies looking to implement new fire escape protocols in their buildings. He loved working with computers and creating safety plans. He gave presentations to prospective clients. It was very satisfying for him that his new job still allowed him to help people directly. He was very close to his boss and co-workers. During this time, I noticed Shelly's breathing had become more labored. We'd meet for lunch, and he would have to stop every few blocks. He'd started gaining weight, too. He was always so athletic and in good shape. It wasn't like him.

11. During a routine medical check-up in late 2009 or early 2010, Shelly's prostate examination came back with an extremely elevated PSA number. Twenty was considered high, Shelly's was 300! A biopsy revealed he had prostate cancer. His doctor thought it could be easily cured with traditional prostate cancer surgery. He went to Sloan Kettering Memorial Cancer Center to get a second opinion. A second biopsy, done in March, showed that since the initial biopsy, it had spread to his bones. The oncologist said Shelly's prostate cancer was very aggressive. Because of the metastases, it had advanced beyond the point of surgery as an option. Still, the doctors at Sloan were willing to try to find other treatment options. It was obvious Shelly was in pain, even though he didn't complain about it. He was prescribed opiates. Shelly was concerned about getting addicted. He didn't take them because he wanted to stay alert, despite the pain.

12. Initially, he was treated with hormone therapy. The first couple of treatments yielded good results. His PSA number lowered significantly but rose even higher by the third treatment. The next step was chemotherapy treatments. They tried radiation treatments and finally, experimental drugs. It was the same pattern with each treatment — optimism at first, followed by failure.

13. I was devastated by the diagnosis. Our mother died of cancer, at the same hospital. Cancer was the worst thing that could happen to anyone, in my mind. I didn't want to believe it. I'm not sure I processed the severity of it. The doctors probably did explain that they couldn't cure him. The best they could do was prolong his life, but that hadn't registered with me, and the treatments had all failed. The doctors said we needed to consider hospice care. I still

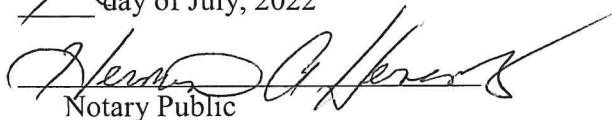


thought I would have years with my brother, but they said he had months to live. Shelly was the only person left who knew me since the day I was born. Suddenly, everything felt very rushed. I didn't have enough time to tell him how much he meant to me. I thought of all the years Shelly had taken care of me, protected me, even when I went through my own cancer scares. Breast cancer ran in my family, which put me at a higher risk for it. Shelly took me to every mammogram appointment. Sometimes, the schedule was so backed-up, I wouldn't see the doctor until 11p.m., and Shelly stayed there with me every time. He didn't want me to be alone in case the news was bad. He did this for years. Now, he had months to live, and the best I could do to help him was sit with him during chemo treatments and take him to doctors' appointments. It felt like so little compared to everything he'd done for me.

13. The treatments were grueling. He was in terrible pain, eventually, even the opiates weren't enough. He had to take liquid morphine, and it messed with his mind. He was weak, his mood would get darker, he'd get worried and depressed, knowing he wouldn't be there for his family. There were times where he needed to be admitted to Sloan for several days at a time. I tried to be there for him. One night, I left briefly while he was asleep. He woke up, and I wasn't there. I knew he had terrible memories of this hospital, from when he was a boy. He was so scared when he didn't see me. There were several other in-patient stays after that one. I couldn't leave him after that. He meant so much to me, and he worried about everyone else, before himself. Shelly was such a wonderful caring person, to the very end. The nurses told me Shelly talked about how close we were and how bad Shelly felt that he wouldn't be there to take care of me, anymore. As if he was letting me down. I miss him every day, and it's a loss that never gets easier.

  
JOYCE E. BAROCAS

Sworn to before me this  
7<sup>th</sup> day of July, 2022

  
Notary Public

Herminio A Hernandez  
NOTARY PUBLIC, State of New York  
No. 01HE6058120  
Qualified in New York County  
Commission Expires April 30, 2023

7/12/22

**Ralph L. Barocas**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

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GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**RALPH L. BAROCAS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                              : SS.:  
COUNTY OF NASSAU     )

RALPH L. BAROCAS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 104 Wilson Place, Plainview, New York 11803.

2. I am currently 67 years old, having been born on March 24, 1955.

3. I am the brother of Sheldon Barocas, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My brother passed away from advanced prostate cancer on December 19, 2011. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I'm exactly 5 years younger than my brother, Sheldon. We were very good friends. Our families would get together often. My brother lived with me and my family for about 18 months, after he got divorced. We became a very tight family. He and I would have lunch together, go shopping, we spent a lot of time at Home Depot together. We did any kind of household repairs together. When he got his own apartment, we would have dinner every




Tuesday night.

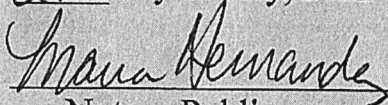
6. On September 11, 2001, my brother was an FDNY firefighter. His company was down at ground zero shortly after the attacks. When he came home, his voice was very hoarse, and he was always congested. He had sinusitis and other respiratory problems.

7. My brother told me he was diagnosed with prostate cancer that had spread to other parts of his body. He was doing treatments at the beginning, but I remember at a certain point, he told me he decided to stop any treatments. We hugged, and it was very emotional. The chemotherapy was very hard on my brother. I think it did more harm than good. He was in a great deal of pain. In fact, when we hugged, he pulled away because of the pain. He died about six months after he stopped treatment.

8. I held back my emotions because I wanted to be strong for my brother and support him and his decisions. But I used to leave his house and cry all the way home. I'd sit in my driveway and collect myself before going inside because I didn't want my wife or daughter to see me like that. Losing him was very difficult, especially because he was only 61 years old.

  
RALPH L. BAROCAS

Sworn to before me this  
29<sup>th</sup> day of July, 2022

  
Notary Public

MARIA HERNANDEZ  
NOTARY PUBLIC, State of New York  
No. 01HE6076686  
Qualified in Nassau County  
Commission Expires December 28, 2022



**Sari Barocas**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**SARI BAROCAS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                              : SS.:  
COUNTY OF NEW YORK     )

SARI BAROCAS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 302 East 88<sup>th</sup> Street, Apartment 4H, New York, New York 10128.

2. I am currently 31 years old, having been born on December 12, 1990.

3. I am the daughter of Sheldon Barocas, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from metastasized prostate cancer on December 19, 2011, at the age of 61. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I was very close with my dad. We did a lot of activities together, like skiing, kayaking, bike-riding and rollerblading. My dad was super outdoorsy. He liked to take me shopping, which was one of my favorite things to do. I was only 18 when he started to get sick, so I pretty much relied on him for everything—financial and emotional support. He encouraged me to apply to the Fashion Institute of Technology, in New York City, after I graduated from



high school. Before I graduated, my dad would drive me there on the weekends so I could take pre-college classes. When I was at FIT, I could see his office from the windows. He was working for a fire protection consultant company, and we would meet up to have lunch together a few times a week.

6. I was very young on September 11, 2001. I was in the fifth grade, so I was about 9 or 10 years old. My dad was a Captain in the FDNY. He was supposed to be on vacation that day, but everyone got called in to go to Ground Zero. The FDNY had buses that would pick up firefighters to take them downtown. He got picked up at Shea Stadium. I remember waiting up with my mom and my brother, waiting to hear from him that night. My dad worked down there for months after the attacks.

7. A few years later, maybe in 2003 or 2004, my dad was having problems with his lungs. I found out that he was diagnosed with prostate cancer when I was in college. My whole family took part in his care. I arranged my classes so that I was able to go back home from Thursday through Sunday and be with him. If he had appointments at Sloan Kettering during the week, I would try to go and sit with him during his chemotherapy treatments. It was a very difficult time.

8. I feel as if I wasn't aware of the severity of my father's illness until the end of his life. After he died, I started having health issues. I was having stomach issues, and I lost a lot of weight. The social worker was aware when my dad died. The social worker cornered me because I had lost so much weight, they were worried I had anorexia. They wouldn't let me leave until I signed paperwork, allowing the school to speak to my primary doctor about my weight. I had terrible TMJ. My jaw would lock in weeks at a time. Losing my dad was very hard for me to wrap my head around. I was only 20 years old. Despite the diagnosis, his death felt very sudden. It was a lot to deal with at that age. I had a lot of anxiety problems, and I have anxiety to this day.

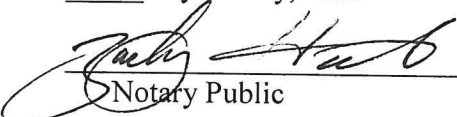
9. My dad knew that I was accepted to the bachelor's program, which was a big deal, but he wouldn't see me graduate or give me career advice. I had to make decisions on my own, at an age that most people still had a dad to give them advice. It was scary, kind of having to be on my own. I didn't have my dad there as a safety net, either financially or emotionally, and I was just starting out as an adult.

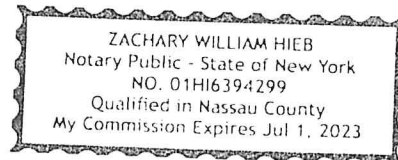
10. My dad was one of the first of his FDNY colleagues to die from a 9/11-related cancer. Since his death, I've seen many of his friends and peers get sick and die from similar illnesses. These were people who were at his funeral and were healthy when my dad died. Some got sick soon after my dad died, and it's still happening. The people that had visited my dad in hospice wound up dying in hospice years later.

11. My dad's premature death has been a great loss for me. I miss him terribly.

  
SARI BAROCAS

Sworn to before me this  
22 day of July, 2022

  
Notary Public



**Scott M. Barocas**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

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GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
SCOTT M. BAROCAS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK     )  
                                  : SS.:  
COUNTY OF KINGS     )

SCOTT M. BAROCAS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 1125 Lorimer Street, Apartment 6A, Brooklyn, New York 11222.

2. I am currently 37 years old, having been born on July 10, 1985.

3. I am the son of Sheldon Barocas, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from metastasized prostate cancer on December 19, 2011. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I was very close with my dad, and I looked up to him in many ways. I became an FDNY firefighter because of my dad. He was a good friend and father. The loss was traumatic, to say the least.

6. I was a junior in high school on September 11, 2001, about 15 or 16 years old. I remember my dad was called down to Ground Zero that day, after the attacks had started. My

family didn't hear from him until that night. He called my mom to tell her he was safe. I don't think he came home until the next day. Like many of the firefighters of that generation, he had survivor's guilt. He lost a lot of friends that day. He was at Ground Zero for several months, working rescue and recovery. He didn't discuss the details with us.

7. My dad developed lung problems a few years after he retired, around 2005 or 2006. He was diagnosed with prostate cancer in late 2009 or early 2010. He told my sister and me, but I wasn't sure how severe it was. From what I knew about prostate cancer, it had a very high survival rate and was usually cured with prostate removal surgery. The oncologists at NYU said the cancer was too advanced for surgery to be successful. The cancer had spread to his bones. They said there was really nothing that could be done to treat my dad. My dad went to Sloan Kettering for a second opinion. They agreed to try and treat his cancer, although they concurred with the doctors at NYU that it had advanced far beyond the point of surgery.

8. There wasn't a particular treatment plan. They tried whatever they could, hoping something would work. The first treatment was hormone injections, which initially had some positive results, but then failed. Chemotherapy was next, then radiation and finally some experimental trials. I remember the doctors telling my dad that there wasn't anything else left to try. My dad knew that he didn't have a lot of time left. I didn't process it. I still thought there was hope. When he was diagnosed, the doctors gave him about 2 years to live. The various treatments lasted about 18 months, and he passed away in December 2011. It was just shy of two years. I had a total disconnect from what that meant or how soon he would be gone, despite the grim prognosis from the beginning. He deteriorated so quickly that it took me by surprise, even though I should have expected it. I was 25 when my father died. At 25, I thought I was an adult. I felt like it's an age where you're supposed to be an adult, but I wasn't. I was really young when I lost my dad. I was floundering and couldn't figure out what I wanted to do with my life.

9. During his illness, I was working in Manhattan. I would go to Sloan Kettering on my lunch hour and sit with my dad during his chemo treatments. The chemo was the beginning of the end, though. Up until the chemotherapy, my dad looked perfectly healthy. But the chemo took a toll on him. He lost his hair, and he became very frail. He was in a lot of pain.

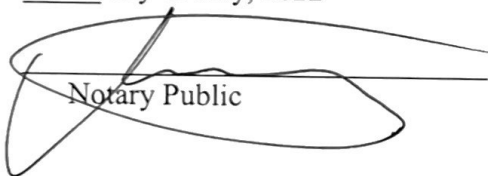
10. I'm happy that my dad knew I was taking the FDNY exam to become a firefighter, but the process takes years, and he died before I made it through. There are so many



firefighters for whom the FDNY is a family business. Fathers and sons. I consider myself lucky that I get to work in the same place as he did. Every once in a while, I'd meet someone who knew my dad. It was comforting to hear them talk about him. It happens less and less now, most of those guys retired. But it's a very active group of alumni. At the FDNY Christmas party, there are still some guys that knew him. I wish we could have experienced that together. I'm very aware of all the milestones my dad will miss, like if I get married or have kids. All the stuff you want your parents to see. It's hard to know what life would have been if he had lived. Obviously, it changes the trajectory of your entire family.

  
SCOTT M. BAROCAS

Sworn to before me this  
12 day of July, 2022

  
Notary Public

Alvin Gong  
Notary Public- State of New York  
NO. 01GO6367339  
Qualified in Kings County  
My Commission Expires Nov 13, 2025